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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
Oakland Division  
No.: 4:20-cv-03919-CW**

**NOW COMES ATHLETES.ORG., INC.**, by and through its attorneys, and hereby submits this Memorandum in Support of its Motion to File a Brief of Amicus Curiae.

## I. INTRODUCTION

On October 7, 2024, this Court entered an order approving a preliminarily proposed settlement, and set a deadline of January 31, 2025 for any potential objectors to file objections. ECF No. 544. A hearing on final approval has been scheduled for April 7, 2025, and this Court has received extensive briefing from the Parties, objectors, and other interested parties, including the United States Department of Justice.

Athletes.org., Inc. (“AO”) is a Non-Profit Corporation organized and existing under the laws of the State of Alabama with its principal office located in Birmingham, Alabama. AO, also

1 known as The Players Association for College Athletes, is a voluntary membership organization  
2 whose membership includes more than 4,000 current and former college athletes, including some  
3 of the named Plaintiffs, and AO's purpose includes to support, educate and advocate for college  
4 and high school athletes on issues such as financial literacy, mental wellness, and name, image  
5 and likeness activities.  
6

7 Some of AO's Members and named Plaintiffs (Grant House, Sedona Prince and Nya  
8 Harrison) have already provided comments to this Court (*see e.g.* Doc. 580), and the interests of  
9 AO's Members will be impacted by the decisions made regarding whether to approve the proposed  
10 settlement in this case. As an organization whose purpose includes advocating for college athletes,  
11 AO has filed its Motion for Leave in order to provide this Court with a Brief that AO believes  
12 adequately addresses concerns of college athletes that will continue to exist whether the proposed  
13 settlement is approved or not. As a non-profit corporation whose purpose includes providing  
14 support for current and future college athletes that will be impacted by the decisions made  
15 regarding whether to approve the proposed settlement in this case, AO contends that an amicus  
16 brief from AO is desirable because AO believes that it can provide this Court with a balanced  
17 perspective regarding key clarifications that AO contends will be needed if the proposed settlement  
18 is to be approved; that it can illustrate to the Court issues that AO contends are not adequately  
19 addressed in the proposed settlement; other litigation that is likely to arise in the future surrounding  
20 issues in this case; and the need for college athletes to be adequately represented if they and college  
21 athletics are to secure the desired long-term stability that the Parties here apparently seek. Each  
22 of these matters is relevant, AO contends, to the disposition of this case and the proposed  
23 settlement.  
24  
25

26           **II. THIS COURT HAS DISCRETION WHETHER TO ALLOW THIS MOTION**  
27

1 It is within the Court’s discretion whether to allow amici to file a brief, and courts generally  
 2 exercise “great liberality” in permitting amicus briefs. *California by and through Becerra v.*  
 3 *United State Dep’t of the Interior*, 381 F.Supp.3d 1153, 11654 (N.D. Cal., 2019); *Cody v. Ring*  
 4 *LLC*, 718 F. Supp. 3d 993, 1004 (N.D. Cal. 2024). The “classic role” of amicus curiae is to assist  
 5 a court in a case of public interest by “supplementing the efforts of counsel.” *Id.* (citations  
 6 omitted). “The salient question is whether such brief is helpful to the Court.” *Becerra*, 381  
 7 F.Supp.3d at 1164.  
 8

9 This case is undoubtedly one of “public interest.” In this case, AO’s Brief, it contends,  
 10 supplements the efforts of counsel and is helpful to the Court by providing additional insight and  
 11 authorities for this Court’s consideration. The Brief provides this Court with insight from AO’s  
 12 perspective regarding how this proposed settlement cannot be a replacement for collective  
 13 bargaining; how health and safety standards are not adequately addressed, either in this settlement  
 14 or the NCAA’s Manuals; how (as the Parties admit) the proposed settlement does not grant  
 15 Defendants protection under the non-statutory labor exemption; the certainty of future litigation;  
 16 and how agreements that athletes are being forced to sign are being misused. All of this  
 17 information, AO contends, would assist this Court.  
 18

20 **SUMMARY AND CONCLUSION**

21 For the foregoing reasons, and for the reasons further set forth in AO’s proposed Amicus  
 22 Brief, Athletes.org, Inc., respectfully requests that its Motion for Leave be allowed.  
 23

Respectfully submitted this the 27th day of March 2025

25 **SHIPMAN WRIGHT & MOORE, LLP**  
 26 *Attorneys for Athletes.org, Inc.*

27 By: /s/ Gary K. Shipman

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1                   **CERTIFICATE OF SERVICE**

2                   I HEREBY CERTIFY on March 27, 2025, I filed the foregoing with the Court by  
3 uploading to the CM/ECF system for the United States District Court for the Northern District of  
4 California and that a true and accurate copy was served on all Registered parties via Notice of  
5 Electronic Filing.

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8                   By:     /s/ Gary K. Shipman

9                   **GARY K. SHIPMAN**  
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